



PATENT
ATTORNEY DOCKET NO. 47237-5008-00-US (227786)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|---|---|--------------------------|
| In re Application of: Yoshikazu TANAKA et al. |) | Confirmation No.: 4016 |
| |) | |
| Application No.: 10/583,110 |) | Group Art Unit: 1638 |
| |) | |
| Filed: June 15, 2006 |) | Examiner: Stuart F. Baum |
| |) | |
| For: METHOD FOR PRODUCING YELLOW |) | |
| FLOWER BY CONTROLLING |) | |
| FLAVONOID SYNTHETIC PATHWAY |) | |

**SUBMISSION OF INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY**

MAIL STOP: AMENDMENT
Commissioner for Patents
U.S. Patent and Trademark Office
Alexandria, VA 22314

Sir:

Applicant brings to the attention of the Examiner the attached document.

Attached is an English-language translation of an International Preliminary Report on Patentability ("IPRP"), including PCT/IB/373 and English translation of PCT/ISA/237, dated August 22, 2006, that issued in a related PCT/JP2004/019461 application. Applicant respectfully requests that the Examiner consider the IPRP as it relates to the above-identified application.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If it should be determined that the listed documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this

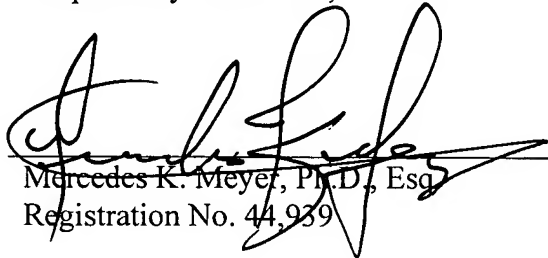
application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573.

This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully Submitted,

Date: June 11, 2009

By: _____


Mercedes K. Meyer, Ph.D., Esq.
Registration No. 44,939

DRINKER BIDDLE & REATH LLP
Customer No. **55694**
1500 K Street, N.W., Suite 1100
Washington, D.C. 20005-1209
Tel. No.: (202) 842-8800
Fax No.: (202) 842-8465